

Order

Michigan Supreme Court
Lansing, Michigan

January 31, 2006

129886

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

KURT ALAN BURKHARDT,
Defendant-Appellant.

Clifford W. Taylor,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

SC: 129886
COA: 255396
St. Joseph CC: 03-011858-FH

On order of the Court, the application for leave to appeal the September 20, 2005 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

KELLY, J., would remand this case to the St. Joseph Circuit Court for resentencing because she believes the circuit court lacked authority to impose the judgment of sentence that orders restitution in the amount of \$1,540 to pay for a home security system and related costs. A home security system in this case does not constitute actual medical service or a device relating to psychological care, as required by MCL 769.1a(4)(a) and MCL 780.766(4)(a).



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 31, 2006

Clerk